

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS, DEL RIO DIVISION

United States of America

vs.

(1) Jose Ricardo Montalvan-Pacheco

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CRIMINAL COMPLAINT

CASE NUMBER: DR:17-M -05810(1)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about **October 24, 2017** in **Maverick** county, in the **WESTERN DISTRICT OF TEXAS** defendant(s) did, (track statutory language of offense) knowingly and willfully enter the United States at a time and place other than as designated by Immigration Officers, he/she being an alien in the United States in violation of Title **8** United States Code, Section(s) **1325(a)(1)**.

I further state that I am a(n) **Border Patrol Agent** and that this complaint is based on the following facts: *"On October 25, 2017, the defendant, Jose Ricardo MONTALVAN-Pacheco, a native and citizen of El Salvador, was arrested near Eagle Pass, Texas. Subsequent investigation revealed that the defendant is an alien illegally present in the United States. The Defendant last entered the United States illegally from the Republic of Mexico by crossing the Rio Grande River at a time and place other than as designated by Immigration Officers, near Eagle Pass, Texas."*

Continued on the attached sheet and made a part of hereof:

☐ Yes ☒ No

Sworn to before me and subscribed in my presence,



Signature of Complainant

10/26/2017

File Date

at DEL RIO, Texas
City and StateCOLLIS WHITE

UNITED STATES MAGISTRATE JUDGE



Signature of Judicial Officer

UNITED STATES DISTRICT COURT

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CRIMINAL COMPLAINT

CASE NUMBER: DR:17-M -05810(1) - CW

**JUDGEMENT IN A CRIMINAL CASE
(For A Petty Offense) - Short Form**

The defendant, Jose Ricardo Montalvan-Pacheco, was presented by counsel, Jad P. Harper.

The defendant pled guilty to the complaint on October 27, 2017. Accordingly, the defendant is adjudged guilty of the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date of Offense</u>
8 USC 1325	ILLEGAL ENTRY	October 24, 2017

As pronounced on October 27, 2017, the defendant is hereby committed to the custody of the United States Bureau of Prisons for a term of 5 days with credit for time already served. The sentence is imposed to the Sentencing Reform Act of 1984.

The special assessment imposed pursuant to 18 U.S.C. § 3013 is hereby remitted pursuant to 18 U.S.C. § 3573 because of reasonable efforts to collect this assessment are not likely to be effective.

The fine is waived because of the defendant's inability to pay.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgement are fully paid.

Filed and Signed on this the 27th day of October, 2017.



COLLIS WHITE
UNITED STATES MAGISTRATE JUDGE

Arresting Agency: DRBP - Del Rio Border Patrol
USM#: 95771380

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION**

United States of America

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vs.

Case Number:

DR:17-M -05810(1)

(1) Jose Ricardo Montalvan-Pacheco

ORDER APPOINTING COUNSEL

The above named Defendant has testified under oath, or has otherwise satisfied this court, that he/she is financially unable to obtain counsel and does not wish to waive representation by counsel.

Therefore, in the interest of justice, Harper, Jad P., is hereby appointed to represent the defendant in the above-styled and numbered cause.

This appointment shall remain in effect until further order of this court.

It is so **ORDERED** this 27th day of October, 2017.

A handwritten signature in black ink, appearing to read 'Collis White', written over a horizontal line.

**COLLIS WHITE
UNITED STATES MAGISTRATE JUDGE**